

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Civil Revision No.4351 of 2016 (O&M)

Date of Decision: July 14, 2016.

Kamaljit Singh and others

.....PETITIONERS.

VERSUS

Mohinder Kaur and others

.....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Hitesh Ghai, Advocate
for the petitioners.

SURINDER GUPTA, J.(Oral)

1. Heard.
2. This revision petition is against the order dated 22nd April, 2015, whereby the application filed by the defendants-petitioners under Order 7 Rule 11 CPC, seeking rejection of plaint was dismissed. The plaintiffs-respondents had filed suit for possession by way of partition of their 9/10 share in the suit property along with the relief of injunction.
3. Learned counsel for the petitioners submits that the plaintiffs are seeking possession of the suit property, as such, were required to pay *ad valorem* court fee.
4. Learned lower court has observed that the suit is for seeking the relief of partition and injunction and the plaintiffs have paid the court fee according to the relief claimed and the defendants-petitioners were silent about the amount of court fee payable by the plaintiffs.
5. On perusal of the impugned order, I find no legal infirmity therein. Learned counsel for the petitioners has not even indicated in this

petition as to how the court fee paid by the plaintiffs-respondents for the relief of partition is not correct. Even at any stage, if the Court finds that the court fee paid is not correct, the plaintiffs can be asked to make good the deficiency in the court fee. There are no merits in this revision petition.

Dismissed.

July 14, 2016.
deepak/jv

(SURINDER GUPTA)
JUDGE